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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,091	07/08/2003	Mark Davis	1070P3821	9656
53483	7590	11/25/2009		
KACVINSKY LLC				
4500 BROOKTREE ROAD				
SUITE 102				
WEXFORD, PA 15090				
EXAMINER				
LEE, TING ZHOU				
ART UNIT		PAPER NUMBER		
2173				
NOTIFICATION DATE		DELIVERY MODE		
11/25/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/616,091

**Applicant(s)**

DAVIS, MARK

**Examiner**

TING LEE

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2009 and 13 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6, 7, 9, 10, 16, 17, 19, 20, 27-31 and 37-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 7, 9, 10, 16, 17, 19, 20, 27-31 and 37-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The amendment filed on 7/13/2009 has been received and entered. The applicant has cancelled claims 1-5, 8, 11-15, 18, 21-26 and 32-36. Claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 as amended are pending in the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dyszel (Handspring Visor for Dummies), Microsoft® Windows Version 5.1, copyright 2001 (hereinafter "Windows") and Iwata et al. U.S. Patent 6,009,338 (hereinafter "Iwata").

Referring to claim 6, Dyszel teaches a method of displaying calendar information comprising displaying a weekly view graphical image on a display screen (i.e. see Fig. 8-3) (Dyszel: page 121), wherein the weekly view graphical image comprises days of the week and appointment icons therein (i.e. the columns represent the days of the week and bars in the columns represent appointment icons, see Fig. 8-3) (page 121); visually highlighting

appointment icons in response to user navigation input (i.e. by tapping on the interface) (Dyszel: page 122); in response to a user selection of a first highlighted appointment icon, automatically displaying a preview window comprising details of said first highlighted appointment icon on said display screen (i.e. see top of Fig. 8-4) (Dyszel: page 122), wherein said preview window is displayed simultaneously with said weekly view graphical image which remains user accessible while said preview window is open (i.e. see Fig. 8-4) (Dyszel: page 122).

However, although Dyszel teaches removal of a preview window (i.e. in Fig. 8-3, since there is no selected block, there is no preview window) (Dyszel: page 121), Dyszel fails to explicitly teach removing the preview window in response to a user selection outside of the preview window while the preview window is open. Windows teaches a graphical user interface (Screenshot 9) similar to that of Dyszel. In addition, Windows further teaches removing a window in response to user selection outside of the window while the window is open (Screenshot 13 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 13, the menu window automatically disappears and the screen returns to the original display shown in Screenshot 9). It would have been obvious to one of ordinary skill in the art having the teachings of Dyszel and Windows before him at the time the invention was made, to modify the GUI displaying the preview window of Dyszel to include the removal of windows via selection outside of the window, as taught by Windows. One would have been motivated to make such a combination in order to display only information that are pertinent to the user/essential to the user's current focus of attention and/or working environment; this also prevents the screen from being cluttered with non-critical information, thereby maximizing screen space usage.

However, Dyszel and Windows fail to explicitly teach the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a sliding mechanism. Iwata teaches a display screen that displays calendar information (calendar information displayed in Figures 8 and 9) (Iwata: column 9, lines 30-37) similar to that of Dyszel and Windows. In addition, Iwata further teaches the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a sliding mechanism (as shown in Figures 1-2 and 32-33, the display screen is switched from a small display screen to a big display screen by sliding a mechanism on a mobile terminal) (Iwata: column 5, lines 56-59 and column 12, lines 54-60). It would have been obvious to one of ordinary skill in the art, having the teachings of Dyszel, Windows and Iwata at the time the invention was made, to modify the display screen of Dyszel and Windows to include the extendable display screen taught by Iwata. One would have been motivated to make such a combination in order to allow the mobile device to be able to readily display more information to the user as needed on a small portable device.

Referring to claims 7 and 17, Dyszel, as modified, teach in response to a user navigation to a second highlighted appointment icon, automatically updating said preview window to display details of said second highlighted appointment icon on said display screen (i.e. clicking on another bar will present information about the other bar) (Dyszel: page 121).

Referring to claims 9 and 19, Dyszel, as modified, teach removing the preview window in response to a user selection while the preview window is open (Screenshot 13 shows the display of a context menu window; when the user clicks outside the menu window when the

window is open as shown in Screenshot 13, the menu window automatically disappears and returns to the original display shown in Screenshot 9).

Referring to claims 10 and 20, Dyszel, as modified, teach highlighting days of the week (i.e. see Fig. 8-4 where 9/10 is selected, 'Dyszel) and highlighting appointments within a highlighted day (i.e. by clicking on a block representing an appointment) (Dyszel: Fig. 8-4), in response to left/right and up/down navigation, respectively (the left/right and up/down cursor keys are used for navigation throughout the Windows GUI; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claim 16, claim 16 differs from claim 6 only in that claim 16 is a system type claim with memory (Dyszel: page 208) and processor (Dyszel: page 13, line 4) on a bus whereas claim 6 is a method claim. Thus, claim 16 is analyzed as previously discussed with respect to claim 6 above.

Referring to claim 27, Dyszel teaches a method of displaying calendar information comprising a display screen with a display mode that is substantially square in shape (i.e. Fig. 8-3 shows a square shape display) (Dyszel; page 121) and an active input area (active areas of the display in which users can make selections, such as the area displaying the "Go to" buttons, shown in Figure 8-5) (Dyszel; page 123); displaying a monthly view graphical image on an effective area of the display screen, wherein said monthly view graphical image comprises days of the month and appointment icons therein (see Fig. 8-5 with boxes in the day representing appointments in that day) (Dyszel: page 123); visually highlighting days in response to user navigation input (the 7th is highlighted, see Fig. 8-5) (Dyszel: page 123). Dyszel does not explicitly teach in response to a user selection of a first highlighted day, automatically displaying

a preview window comprising details of appointments of said first highlighted day on said display screen, wherein said preview window is displayed simultaneously with said view graphical image which remains user accessible while said preview window is open. However, it would have been obvious to one of ordinary skill in the art, having the teaching of Dyszel before him at the time the invention was made, to modify the weekly view graphical image with previews (Dyszel: pages 121- 122) taught by Dyszel to include using previews in a monthly view. One would have been motivated to make such a combination in order to simultaneously preview a selected day in a calendar with a summary of appointments of that selected day (Dyszel: pages 122 and 123).

Furthermore, although Dyszel teaches removal of a preview window (i.e. in Fig. 8-3, since there is no selected block, there is no preview window) (Dyszel: pages 121), Dyszel fails to explicitly teach removing the preview window in response to a user selection outside of the preview window while the preview window is open. Windows teaches a graphical user interface (Screenshot 9) similar to that of Dyszel. In addition, Windows further teaches removing a window in response to user selection outside of the window while the window is open (Screenshot 13 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 13, the menu window automatically disappears and returns to the original display shown in Screenshot 9). It would have been obvious to one of ordinary skill in the art having the teachings of Dyszel and Windows before him at the time the invention was made, to modify the GUI displaying the preview window of Dyszel to include the removal of windows via selection outside of the window, as taught by Windows. One would have been motivated to make such a combination in

order to display only information that are pertinent to the user/essential to the user's current focus of attention and/or working environment; this also prevents the screen from being cluttered with non-critical information, thereby maximizing screen space usage.

However, Dyszel and Windows fail to explicitly teach collapsing an active input area for a display screen to enlarge an effective display area of the display screen, the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a sliding mechanism. Iwata teaches a display screen that displays calendar information (calendar information displayed in Figures 8 and 9) (Iwata: column 9, lines 30-37) similar to that of Dyszel and Windows. In addition, Iwata further teaches collapsing an active input area for a display screen to enlarge an effective display area of the display screen (as shown in Figure 2, when the effective display area of the screen is enlarged from that of Figure 1, the input area of the keypad is collapsed, i.e. hidden) (Iwata: column 12, lines 54-60), the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a sliding mechanism (as shown in Figures 1-2 and 32-33, the display screen is switched from a small display screen to a big display screen by sliding a mechanism on a mobile terminal) (Iwata: column 5, lines 56-59 and column 12, lines 54-60). It would have been obvious to one of ordinary skill in the art, having the teachings of Dyszel, Windows and Iwata at the time the invention was made, to modify the display screen of Dyszel and Windows to include the extendable display screen taught by Iwata. One would have been motivated to make such a combination in order to allow the mobile device to be able to readily display more information to the user as needed on a small portable device.

Referring to claim 16, claim 16 differs from claim 6 only in that claim 16 is a system type claim with memory (Dyszel: page 208) and processor (Dyszel: page 13, line 4) on a bus whereas claim 6 is a method claim. Thus, claim 16 is analyzed as previously discussed with respect to claim 6 above.

Referring to claims 28 and 38, Dyszel, as modified, teach in response to a user navigation to a second highlighted day, automatically updating said preview window to display details of appointments of said second highlighted day on said display screen (i.e. clicking on another bar will present information about the other bar) (Dyszel: page 121).

Referring to claims 29 and 39, Dyszel, as modified, teach displaying a full day view of said first highlighted day in response to a user selection provided said preview window is already open (i.e. tapping on a day in Month view will display the Day view for that day) (Dyszel: page 123).

Referring to claims 30 and 40, Dyszel, as modified, teach displaying a full day view of said second highlighted day in response to a user selection provided said preview window is already open (i.e. tapping on a day in Month view will display the Day view for that day) (Dyszel: page 123).

Referring to claims 31 and 41, Dyszel, as modified, teach highlighting days of the month across a common row (Dyszel: see Fig. 8-5 where the 7th is selected); and highlighting days of the month across a common column within-a highlighted day (i.e. by clicking on a block representing an appointment) (Dyszel: Fig. 8-4), in response to left/right and up/down navigation, respectively (the left/right and up/down cursor keys are used for navigation throughout the Windows GUI; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claim 37, Dyszel teaches a computer system comprising a memory coupled to a bus (Dyszel: page 208); a processor coupled to the bus (Dyszel: page 13, line 4); and a display screen coupled to the bus (Dyszel: screen show in Figure 1-2 on page 12), that is substantially square in shape (i.e. Fig. 8-3 shows a square shape display) (Dyszel; page 121), the memory comprises instructions for implementing a method comprising displaying a monthly view graphical image on an effective area of the display screen, wherein said monthly view graphical image comprises days of the month and appointment icons therein (see Fig. 8-5 with boxes in the day representing appointments in that day) (Dyszel: page 123); visually highlighting days in response to user navigation input (the 7th is highlighted, see Fig. 8-5) (Dyszel: page 123). Dyszel does not explicitly teach in response to a user selection of a first highlighted day, automatically displaying a preview window comprising details of appointments of said first highlighted day on said display screen, wherein said preview window is displayed simultaneously with said view graphical image which remains user accessible while said preview window is open. However, it would have been obvious to one of ordinary skill in the art, having the teaching of Dyszel before him at the time the invention was made, to modify the weekly view graphical image with previews (Dyszel: pages 121- 122) taught by Dyszel to include using previews in a monthly view. One would have been motivated to make such a combination in order to simultaneously preview a selected day in a calendar with a summary of appointments of that selected day (Dyszel: pages 122 and 123).

However, Dyszel fails to explicitly teach removing the preview window in response to a user selection outside of the preview window while the preview window is open. Windows teaches a graphical user interface (Screenshot 9) similar to that of Dyszel. In addition, Windows

further teaches removing a window in response to user selection outside of the window while the window is open (Screenshot 13 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 13, the menu window automatically disappears and the screen returns to the original display shown in Screenshot 9). It would have been obvious to one of ordinary skill in the art having the teachings of Dyszel and Windows before him at the time the invention was made, to modify the GUI displaying the preview window of Dyszel to include the removal of windows via selection outside of the window, as taught by Windows. One would have been motivated to make such a combination in order to display only information that are pertinent to the user/essential to the user's current focus of attention and/or working environment; this also prevents the screen from being cluttered with non-critical information, thereby maximizing screen space usage.

However, Dyszel and Windows fail to explicitly teach the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a folding mechanism. Iwata teaches a display screen that displays calendar information (calendar information displayed in Figures 8 and 9) (Iwata: column 9, lines 30-37) similar to that of Dyszel and Windows. In addition, Iwata further teaches the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape using a sliding mechanism (as shown in Figures 1-2 and 32-33, the display screen is switched from a small display screen to a big display screen by using a mechanism on a mobile terminal; the mechanism can include a sliding phone or a fold/flip phone, as shown in Figure 20 for example) (Iwata: column 5, lines 56-59, column 22, line 56-column 23, line 3 and column 28, line52-

column 29, line 30 ). It would have been obvious to one of ordinary skill in the art, having the teachings of Dyszel, Windows and Iwata at the time the invention was made, to modify the display screen of Dyszel and Windows to include the extendable display screen taught by Iwata. One would have been motivated to make such a combination in order to allow the mobile device to be able to readily display more information to the user as needed on a small portable device.

3. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar display screens that are switchable between a small and large mode using a slide/flip mechanism.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 have been considered but are moot in view of the new ground(s) of rejection.

Specifically, the applicant argues that the combination of Dyszel and Windows fails to teach the physical structure of the sliding and folding mechanisms. Iwata teaches a mobile device (i.e. a slide phone as shown in Figures 1-2 or a fold/flip phone, as shown in Figure 20) that comprises a physical structure for switching between display modes (i.e. between a small and large display screen). As a side note, the examiner respectfully notes that the references cited in the PTO-892 and note relied upon also teaches a similar slide/flip phone. Specifically,

Moriki teaches a mobile phone that allows the user to switch between a small displaying screen shown in Figure 1A and a large display screen shown in Figure 2A by sliding a structure on the mobile phone (page 1, paragraphs 0010 and 0016 and page 2, paragraph 0027), and Wilcox teaches a mobile phone that includes a extendable screen that can be retracted into a small screen position and extended into a large screen position via sliding/folding the screen device (page 2, paragraphs 0013-0014 and 0026-0027).

5. In view of the above, the examiner respectfully argues that the new ground of rejection teaches the subject limitations.

### *Conclusion*

Applicant's amendment filed on 1/23/2009 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TING LEE whose telephone number is (571)272-4058. The examiner can normally be reached on Monday - Friday 7:30am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TING LEE/  
Primary Examiner, Art Unit 2173